

MORGANTOWN PLANNING COMMISSION

MINUTES

6:30 PM

February 11, 2016

Council Chambers

COMMISSIONERS PRESENT: Peter DeMasters, Carol Pyles, William Blosser, Sam Loretta, Ken Martis, Bill Petros, and Tim Stranko

COMMISSIONERS ABSENT: Bill Kaweck and Michael Shuman

STAFF PRESENT: Christopher Fletcher, AICP and John Whitmore, AICP

I. CALL TO ORDER/ROLL CALL: DeMasters called the meeting to order at 6:30 PM and read the standard explanation of the how the Planning Commission conducts business and rules for public comments.

II. GENERAL PUBLIC COMMENTS: None.

III. MATTERS OF BUSINESS:

A. Approval of the January 14, 2016 meeting minutes: Stranko and Petros noted they were present at the January 14, 2016 hearing although their names were not listed on the meeting minutes. Stranko moved to approve as revised; seconded by Petros. Motion carried unanimously.

B. Amendment to Commission's Bylaws: Fletcher presented the changes proposed to the Commission's Bylaws.

Petros inquired about the conflict of interest section and asked for further explanation of the point in time a Commissioner recuses them self. Fletcher explained that a Commissioner should recuse them self prior to discussing the matter on the agenda after announcing the cause for the conflict of interest.

Stranko suggested the President make the decision if there is good cause to presenting evidence after the five-day deadline. DeMasters expressed that the Commissioners should vote on if additional evidence will be accepted into the record. Discussion ensued on whether the President should make the final decision or if they should decide as a whole. Changes were made to read that additional evidence may be presented "when recognized by the President" and Commissioners decided that the President will make the final decision if additional evidence will be accepted at the hearing.

Pyles recognized a few grammar errors and stressed gender neutral terms be used.

Martis referred to the pre-meeting announcement suggesting "presiding Commissioner" either be used consistently in the By-laws or removed. Pyles agreed and suggested to reduce the use of the word "then" as it is used too many times.

Discussion ensued on the wording of the pre-meeting announcement and Fletcher noted requested revisions.

Stranko moved to approve amendments to the Commission's By-laws as revised by the Commission; seconded by Martis. Motion carried unanimously.

- C. Approval of the 2015 Annual Report to City Council: Fletcher presented the 2015 Annual Report. Stranko moved to forward the 2015 Annual Report to City Council; seconded by Martis. Motion carried unanimously.

IV. UNFINISHED BUSINESS: None.

V. NEW BUSINESS:

- A. **MNS16-02 / Gallon / Demain Avenue:** Request by Sheila Gallon, for minor subdivision approval of property located along Demain Avenue and Kingwood Street; Tax Map 36, Part of Parcel 134 and Parcels 135, 136, 137, and 138; R-1A, Single-Family Residential District.

Whitmore presented the Staff Report.

DeMasters inquired about the minimum square footage per parcel. Whitmore explained that both parcels could be reconfigured to allow for approximately 3,700 square feet which meets the minimum lot standard in the R-1A district.

DeMasters recognized Dennis Gallon, property owner, referred to the Staff report to explain the location of the Parcels and noted that the property is an estate of his mother-in-law. Gallon explained they are seeking a minor subdivision in order to divide and sell the parcels to a potential buyer.

DeMasters asked for further explanation on how the Parcels will be divided. Gallon referred to the Staff report to further explain how each Parcel would be divided with repositioning the lot lines.

Discussion ensued on how the parcels would be divided to ensure conforming lots are created with the repositioning of the lot lines.

DeMasters asked if the existing houses would remain. Gallon confirmed and stated there are two duplexes facing Demain Avenue and a single- family house facing Kingwood Street.

There being no further comments or questions by the Commission, DeMasters asked if anyone was present to speak in favor of or in opposition to the petitions. There being none, DeMasters declared the combined public hearing closed and asked for Staff recommendations.

Whitmore presented the Staff recommendations.

DeMasters asked if the lot lines can be moved east to ensure the lots are conforming and will not affect the existing houses. Whitmore confirmed and noted a survey is needed to officially confirm that lots would be conforming.

Stranko expressed the request is not necessary just to adjust for 500 feet as they have to pay for a survey and noted he disagrees with the second Staff recommendation. DeMasters noted it is to ensure the lots are conforming and noted a survey is necessary to complete the request.

Fletcher suggested revising the second recommended condition to state, "That the applicant will subdivide the selected Parcels creating new Parcels that are in conformance with the R-1A, Single Family Residential District's minimum lot size threshold of 3,500 square feet as practicable as possible while preserving the predominant lot pattern within the immediate area."

Stranko agreed.

Stranko moved to approve Case No. MNS16-02 as revised with Staff recommendations as amended; seconded by Martis; Motion carried unanimously.

- B. MNS16-03 / Konchesky / 708 Madigan Avenue:** Request by Michael Konchesky, for minor subdivision approval of property located at 708 Madigan Avenue; Tax Map 39, Parcels 35 and 36; R-1A, Single-Family Residential District.

Whitmore presented the Staff Report. Whitmore stated the petitioner requested Staff to represent the petition and referred to the Staff Report to further explain the request.

There being no comments or questions by the Commission, DeMasters asked if anyone was present to speak in favor of or in opposition to the petitions. There being none, DeMasters declared the combined public hearing closed and asked for Staff recommendations.

Whitmore presented the Staff recommendations.

Stranko moved to approve Case No. MNS16-03 with presented with Staff recommendations; seconded by Martis. Motion carried unanimously.

- C. TX16-01 / Administrative / Clear Vision Triangle:** Administratively requested Zoning Text Amendments to Sections 1329.02 "Definitions" and 1363.03 "Safety and Vision" as they relate to providing for safety and vision at street intersections and driveway entrances.

Fletcher presented the Staff Report.

Loretta asked if the City will monitor the existing intersections and updated where necessary. Fletcher confirmed and noted they use the standard within the Planning and Zoning Code.

There being no further comments or questions by the Commission, DeMasters asked if anyone was present to speak in favor of or in opposition to the petitions. There being none, DeMasters declared the public hearing closed and asked for Staff recommendations.

Fletcher presented the Staff recommendations.

Stranko moved to forward a favorable recommendation to City Council to amend the Planning and Zoning Code as presented; seconded by Martis. Motion carried unanimously.

VI. OTHER BUSINESS:

A. Committee Reports

- Traffic Commission: No report.
- Green Team: No report.

B. Staff Comments: None.

VII. FOR THE GOOD OF THE COMMISSION:

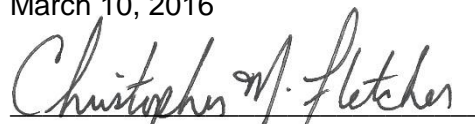
- DeMasters noted that Dr. Ken Martis has been with the Planning Commission since 2001 and thanked him for his service. DeMasters presented Dr. Martis with a plaque in appreciation for his volunteer service.
- Marti Shamberger, Mayor for City of Morgantown, thanked Dr. Martis for his years of service and dedication to the City.
- Bill Kawecki, Councilman, expressed it is extraordinary to dedicate the years of service to the Planning Commission and thanked him for his service.
- Jeff Mikorski, City Manager, stated Dr. Martis always brought professionalism and quality and felt confident that everything he reviewed should be done objectively and be the best decisions for the City of Morgantown. Mikorski thanked Martis for his service and dedication to the City for the last 15 years.
- Martis thanked everyone for coming and stated he will still be a citizen in the community in which he loved.

VIII. ADJOURNMENT: 7:50 PM

MINUTES APPROVED:

March 10, 2016

COMMISSION SECRETARY:


Christopher M. Fletcher, AICP